

## NOT QUITE SO WARM TO-DAY

**BEST THE PROPHETS CAN DO FOR US IS TO SAY SHOWERS.**

Mercury Got to 95 Up Aloft Here Yesterday and the Little Shower at Nightfall Depressed It Only Temporarily. The Barometer Has a Hostile Aspect.

The second of the big heat billows that have gone over the city within eight days smothered the perspiring town in its rest at 1:30 yesterday afternoon when the Government thermometer on the Whitehall Building heights said that there was a rise over 95 degrees of heat. Even on the lower levels unofficial recorders saw the Weather Bureau's heat and raised it several degrees, the top of some thermometers being the limit. But New York got off easy compared to some neighboring cities. Hartford held the record for Eastern towns with 100 degrees; Albany and Boston endured 98 degrees; and at Philadelphia and Washington the mercury reached its highest when it climbed to 96 degrees.

Forecasters here, who are in command of the local bureau just now, predicted in this way yesterday morning:

"Thermometric conditions are favorable for another warm period. The maximum temperature this afternoon will be above 95 degrees and about that figure Tuesday afternoon."

He was still of this opinion when he went off duty at 6 o'clock, although he did say that several small thunder showers might wander this way. His successor on the job amid the Whitehall peaks was cheered enough by the shower that came along just before 7 o'clock to hazard a hope that perhaps it would be a little showery and cooler to-day. There were gusty breezes late last night that felt as if showers were still hanging about the Washington forebodes the showers, but the best it can say is "Not quite so warm."

As on last Monday, when the mercury climbed to 95 degrees and made a decade's record for these parts, the humidity was mercifully low yesterday. It was highest at 8 o'clock in the morning, when the Government thermometer marked only 79 degrees, and it dropped down to the middle and lower forties as the mercury climbed.

In the early afternoon the Weather Bureau's promise of "local thunder showers" seemed about to be made good. At the artist who holds the New Jersey cloud structures piled up the thunder heads. But it was all a bluff until 6:37 o'clock, when enough big drops pelted down to show on the rainfall gauge that 2.00 of an inch had fallen. The official record said that the rain lasted twenty-two minutes. By that time the mercury had dropped to 89 degrees and the shower sent it quickly down to 81. It wouldn't stay put, however, and climbed back to 86 at 9:30 o'clock.

There was more rain in some other places. Pittsburgh got 1.4 inches. Albany got .34 of an inch and Saratoga .5. But the rain made things cooler in the cities where it had been hottest. At Hartford the mercury went down to 86, Albany saw a 12 degree drop, Boston lost 8 degrees of heat, at Washington the mercury went from 96 to 88. Philadelphia thermometers, however, were still recording 92 degrees at 8 P. M.

To add to yesterday's discomforts ice dealers had trouble in supplying the demand, which these days is running about 10 per cent. above normal, and lots of folks who depend upon small dealers had to go without. Work horses suffered and Mayor Gaynor sent a request to Police Commissioner Waldo to have the police see that loads were kept within reason. In his letter he said:

"The other night when we rode up and down the territory where the experiment of the fixed post is being tried we were both surprised at the number of dead horses in the street. I have been watching the horses ever since and I see many of them overloaded in the most cruel manner. Please take the matter in hand and have the police instructed to interfere in all cases where horses are overloaded and if necessary make arrests."

The police reported one dead horse attributed to the heat in Manhattan. There were twenty-three prostrations in Manhattan, the Bronx and Richmond. In Brooklyn five deaths were attributed to the heat and thirty-five prostrations. A marine was overcome while drilling in the Brooklyn navy yard, but recovered after treatment.

John Landgren, a silversmith of 155 East Fifty-seventh street, died at his home last night. His death was attributed to the heat. He came home early in the evening, complained of feeling ill and died before two physicians who had been called arrived. He was 55 years old.

## PROVIDENCE'S HOTTEST DAY.

**Ambulance Horses Worn Out and Stores and Factories Closed.**

PROVIDENCE, July 10.—One death and a score of prostrations to-day are the results of a temperature of 96 degrees, the highest ever recorded by the local Weather Bureau. The 96 mark was reached at 2 o'clock this afternoon. It is two degrees higher than that of the hottest day last week.

The man who died was Wright Spencer of Johnston.

Worn out by the almost constant calls of last week, the horses used on the Rhode Island hospital ambulances are in such a condition that they cannot work to-day. In place of the horse drawn vehicles the hospital is using taxicabs with stretchers strapped to the sides. In taking those who come by heat to the institution it is necessary for them to sit up in the cabs. All the big department stores closed for the afternoon and many of the mills and business houses took similar action.

WATERBURY, Pa., July 10.—Heat and humidity here to-day caused many prostrations and one death. Aubrey W. Bates of Pittston, aged 8, succumbed to the heat. Joseph Toole, aged 12, a shepherd on the Everhart farm near Pittston, was found unconscious and his dog dead from exposure to the hot sun as they attended the sheep. The thermometer reached 98 in the shade in the city and exposed to the sun 101.

NARRAGANSETT PIER, July 10.—Narragansett experienced the hottest day of the

## NO NEW CHARTER UNTIL FALL

**DIX SAYS PEOPLE MUST HAVE TIME TO UNDERSTAND IT.**

He Advises Legislature Against Hurrying With So Big a Job May Lead to Special Session to Clean Up the Democrats' Uncompleted Programme.

ALBANY, July 10.—Gov. Dix notified the Legislature to-night that he would not approve a new charter for New York city if it was passed by the Legislature hurriedly. This was construed as an intimation from the Governor that the Legislature should complete its work with the exception of the charter and then come back, perhaps in September, and pass the charter after the people have had a chance to look it over and suggest amendments.

A session in September also would be late enough to pass a Congress reorganization law for New York State in case the United States Senate acts favorably upon the measure.

Gov. Dix's statement stirred the legislators for a time, but finally it seemed to be the general opinion that this was the best disposition of the charter question after all. Those who are framing the charter had evidenced a desire to get it through as soon as possible, while the great majority of legislators who have no personal interest in the matter have been kicking for some time against the Legislature being held in session merely to pass the measure.

The suggestion of the Governor is considered by some politicians as an excuse for calling the Legislature together in the fall to clean up legislation which may be overlooked by the Democrats at the regular session.

This is the statement issued by Gov. Dix to-night:

"A charter for the city of New York is too important a matter to be hurried, either in its preparation or in its treatment by the Legislature. The people of the city can know little of the changes intended by the charter until the document is put before them in its final form."

"After the proposed charter amendments have been submitted to the Legislature, the citizens and taxpayers of the municipality should be given ample time to understand and digest their provisions, especially in this time when radical changes are contemplated."

"No city charter should be acted upon in haste by the Legislature—certainly no charter for a city which contains one-half the population of the State."

"After consultation with the legislative leaders I do not expect that at the very end of the session, when adequate deliberation and discussion is well nigh impossible, the Legislature will send to me for my action a New York city charter."

"I shall consider a charter for New York with a view to favorable executive action only after the fullest opportunity has been afforded to the people of the city to know what it contains."

Senator Cullen, chairman of the Senate Cities Committee, said to-night that it had never been proposed to push the New York city charter through the Legislature without at least one hearing. His committee, Senator Cullen said, had brushed out both the Hammond and the Gaynor charters in New York city and believed practically everybody knew what they contained.

"There was never a desire on our part," said Senator Cullen, "to deprive any one of the right to become thoroughly familiar with the new charter. We had the charter workers hard at it here, necessarily outside the reach of everybody because it was a difficult piece of work and men engaged at it did not want to be disturbed. Now of course the charter must go over until, I presume, September next, when we will be called back to pass it along with certain other legislation."

It seemed to be the opinion to-night that the Legislature would complete all pending legislation except the charter by July 20 or 21. Whether a recess then will be taken until September or whether final adjournment will be effected then, leaving it to the Governor to call a special session to pass the charter, was not determined to-night.

## MAINE FORESTS LEAVING.

**Many Miles of Timber Destroyed Work to Check Flames Futile.**

BANGOR, Me., July 10.—Fierce forest fires that nothing short of a general down-pour of rain for two or three days can quell are raging in the vicinity of Moose Head Lake and to the West, destroying acres of thousands of acres of Maine's finest timberlands and causing loss of hundreds of thousands of dollars. Thousands of men are making every effort to check the progress of the fires, but with little success.

Word comes from Moose Head that the situation is serious with the fires spreading every day. Over the lake and towns about it, there hangs a pall of smoke. Fires are burning on almost every side. Since Monday, July 3, fourteen fires have broken out on the east side of Moose Head.

The fire patrols have been doubled in number and the lookouts on the mountains are in constant communication with headquarters. The worst of the fires now burning is the one that started some days ago, in Enchanted township, about twelve miles south of Jackman. On Monday this fire had spread over 10,000 acres of timberland and was advancing rapidly.

Over 500 men are engaged in fighting the fire on this town, but have not won a little success so far. It has been so hot and so dry that the flames eat their way through the forest almost like a prairie fire. Already an area seven miles in length had been burned over and there is no immediate prospect of checking the advance of the flames.

## 100,000 for a Convalescent Home.

**The will of Adele A. Dorte, who died at 9 East Forty-seventh street on June 21 last, leaves \$100,000 to the Presbyterian Hospital to build and maintain a home for convalescents.**

Other bequests are: St. Thomas's Protestant Episcopal Church, \$15,000; St. Luke's Home for Aged Women, \$5,000; Charity Organization Society, \$5,000; Society for the Relief of Deserving Blind, \$3,000; Legal Aid Society, \$3,000; and New York Infirmary for Women and Children, \$3,000.

## DEWEY'S SUPERIOR PORT WINE.

**Blood making and nourishing. H. T. DEWEY & SONS CO., 38 Fulton St., N. Y.**

## TWO AT TOS BURN ON BROADWAY.

**Occupants of a Taxi Thrown Out When It Skidded Into an Empty Motor Car.**

A black taxicab slid up Broadway through the shower early last evening. Inside were a man and a woman whom the chauffeur, Oscar Brown, had picked up at the Cunard pier. The man had said that he was a physician returning from Europe with his wife. At Eighty-fourth street the taxicab began to skid.

It skidded broadside into the touring car of Templeton W. Wood, which was standing empty on the southeast corner. The shock sprung the gasoline tank in the touring car and the gasoline became ignited as it poured out. The occupants of the taxicab were thrown out and their faces and hands were cut by broken glass. Luckily they were thrown outside of the range of the flames which were licking at the bodies of the two machines. The chauffeur jumped.

A big crowd gathered in no time and it took the reserves from two stations to keep them in order. When the firemen arrived the flames were shooting up to the second stories of the buildings in the neighborhood. As the crowd surged back to make way for the engines Richard O'Keefe of 335 West Fifty-fifth street was pushed through the window of a fruit store at 231 Broadway. He was cut about the arms and face. After being treated at a drug store he was taken to the hospital.

The two people from the taxi made their way to the same drug store. The man had to help his companion, who was almost in a faint. At the drug store they were advised to find a physician and they went to Dr. Louis Kaufman at 272 West Eighty-fourth street, who bandaged them up. They went on their way without telling him their names. The Carman docked last night.

The two automobiles were burned up completely. Mr. Wood, who had been calling in the neighborhood with his wife, said that his car was worth \$600.

## 12 YEARS TO MAKE A INTO O.

**Mrs. Kemper May Have to Begin All Over on a Will 25 Years Old.**

Mrs. Emma Barrechea Kemper, who has been suing for twelve years, may have to start all over to get a bequest of \$50,000 under the will of Jose Sevilla, a sea captain, a naturalized American, who died in Peru in 1886, leaving the bequest to the "hija," or daughter, of his nephew, Don Pedro Benjamin Barrechea, who lived in Canada. The latter had no daughter, but he had a son, who was the first husband of Mrs. Kemper and is now dead. Before Mrs. Kemper got around to sue the estate on the ground that the word "hija" was intended for "hijo," which means son, the estate had all been distributed except property at 160 West Twenty-second street, which was then put in the hands of a receiver on Mrs. Kemper's claim that she was entitled to have the bequest paid out of the proceeds of the property if there was nothing else left.

When Mrs. Kemper sued she elected to bring her action against Leopold Barrechea, the ancillary executor, individually, and she recently got an attachment against Jose Sevilla, Barrechea's alleged Supreme Court Justice Page to vacate the attachment on many grounds, one of which is that the plaintiff has no cause of action against him.

The court vacated the attachment and said that if Mrs. Kemper is entitled to the legacy she must get it in an appropriate action against the executor as such and not individually. The court says it will be necessary for her to sue to construe the will in order to ascertain the intention of the testator as to the \$50,000. Then she will have to explain to the court that the word "hija" was intended for "hijo," which means son, the first place to demand the legacy, and finally whether under the laws of Peru she is entitled to anything, since the estate has been distributed under the laws of that country.

## GAYNOR TO PRESIDENT BUTLER.

**Why Not a Paid Board of Education Like Paid College Presidents?**

Writing yesterday to President Butler of Columbia, Mayor Gaynor said of the reasons that urged him to favor a small paid Board of Education:

"I am opposed to changing the Board of Education from the present large board to a small board unless the members of the small board are to be paid. I have carefully read all you have written to me, and it does not change my mind. I am wholly unable to see how the seven men whom I shall appoint will be made less effective by being paid. As to the notion that several ideal citizens will come forward to do the work for nothing, I am not idealist enough to believe that. I should be more ready to believe that an ideal man, like yourself, would be ready to come forward and serve as president of Columbia University without pay."

## CLARENCE DARROW TO QUIT LAW.

**Will Give Up Practice at End of the Los Angeles Bomb Cases.**

CHICAGO, July 10.—Clarence S. Darrow, for years one of the best known lawyers and radical thinkers of Chicago, who is now in charge of the defense in the Los Angeles Times bomb cases, has given up his Chicago apartment, dissolved his law partnership and resolved on the completion of his present case to retire from practice and abandon Chicago as a place of residence.

The firm of Darrow, Masters & Wilson was dissolved a month ago, it was learned to-day. The dissolution was due to Mr. Darrow's ill health, advancing years and desire to devote the rest of his life to study and literary work rather than to the drudgery of the law.

## LOUIS MARTINS.

**42nd St. Between 7th and 8th Ays.**

America's greatest French Restaurant. French and American Cuisine. Served and best equipped Dining Rooms.

H. T. DEWEY & SONS CO., 38 Fulton St., N. Y.

## C. C. RUMSEY INJURED AT POLO.

**PONY ROLLS OVER HIM IN GAME AT ROCKAWAY CLUB.**

Mrs. Rumsey, who was Miss Harriman, summoned to Clubhouse Injuries, Not Deemed Serious. Received When Rumsey and Stevenson Ponies Crashed.

In a polo game yesterday at the Rockaway Hunting Club C. C. Rumsey was hurt in a collision with Malcolm Stevenson and was taken unconscious from the field. Both players were on the same team. Mr. Rumsey married Miss Mary Harriman, daughter of the late E. H. Harriman. Last spring while Mr. Rumsey was practicing at Lakewood for the international cup polo games a boy was born to them.

Mr. Rumsey and Mr. Stevenson were on the Cooperstown team, which opposed the Meadow Brook Magpies. The mishap occurred in the fourth period and it ended the game, the score then favoring the Magpies by 6 to 4 goals. It seemed to be conceded by the onlookers that Stevenson had the right of way with the ball and that Rumsey had crossed him at the dangerous angle that is forbidden by the rules.

Von Stade of the team had made a goal and the hopes of his teammates ran high that they might gain another and the lead. Rumsey in overzealous crossed Stevenson and the ponies of the two came together with a thud. Rumsey had his nag in hand while Stevenson had been riding with a free rein and the saving advantage of impetus was with him.

Rumsey's pony seemed to melt like jelly under the impact and it went down in a heap. Rumsey fell under the pony, which turned an absolute somersault over his prostrate body. That he escaped more severe harm is due perhaps to his body having been under the bridge formerly by the pony's withers and shoulders as the animal flew over him from the speed it had when it fell.

As Rumsey lay still the players dismounted and approached him, as is always done in a polo accident, for it is odds on nearly every time that the rider will be up before any one can reach him. Stevenson raised Rumsey's head to his knees and all around him while servants rushed up with glasses of ice water and small flasks of spirits. Dr. William Anderson of Cedarhurst was one of the onlookers at the game and he at once approached Rumsey and put all the zealous first aid enthusiasts out of the case.

Under Dr. Anderson's advice Rumsey was carried on a stretcher to the clubhouse. At a late hour last night it was said that no bones had been broken and that the injuries were not deemed to be serious. Mrs. Rumsey had been summoned from Westbury, where the couple have taken a house for the season. At that time her husband was resting easily.

Dr. Anderson said late last night that Mr. Rumsey's condition was improved and his recovery likely.

## TO ORDER SURFACE TRANSFERS.

**Public Service Board Will Do It Today—Fight in the Court Sure.**

Chairman Wilcox announced yesterday that at the weekly meeting to-day of the Public Service Commission an order would be made directing the street lines of this city to restore the transfer privileges which existed before the Metropolitan system was disintegrated. The order which will be adopted by the commission will direct the issuing of transfers at more than 150 street intersections.

In its resolution the commission will call for the holding of a public hearing on August 15, when the receivers of the different lines will have an opportunity to state whether or not they will obey the order. There is no question as to what their reply will be. They will refuse to obey and then will begin court proceedings on the part of the commission to enforce the penalties provided for in the public service act, which will be met by the companies with the contention that the commission is without authority to compel one company to transfer passengers to another for a single fare.

Every surface line in Manhattan will be affected by the order and it will include every north and south line. These are some of the more important cross-town points where transfers must be issued should the order of the commission be upheld:

Sixth, Eighth, Ninth, Tenth, Fourteenth, Seventeenth, Eighteenth, Twentieth, Twenty-ninth, Thirtieth, Thirty-first, Forty-second, Fifty-ninth, Eighty-sixth, 110th, 116th, 125th and 145th streets.

Stuyvesant street, St. Mark's place, Houston, Stanton, Spring, Delancey, Broome, Duane and Ann streets and Astor place.

Grand, Canal, Beach, Vestry, Desbrosses, Walker, North Moore, Cherry and Monroe streets.

Jane slip, Battery place, Cortlandt, Chambers, Wall and Christopher streets.

Also at the junction of St. Nicholas avenue and Eighth avenue and at Manhattan street north and south on Amsterdam avenue.

## CHARTER PROTEST.

**Legislature Told That the People Have the Right to Be Consulted.**

A petition signed by officials of the City Club, the Civil Service Reform Association, a committee of the Bar Association, the Public Education Association, the Allied Real Estate Interests, the Citizens' Union, the Brooklyn League and the Greater New York Taxpayers' Conference was sent yesterday to the members of the State Legislature protesting against any attempt to pass the proposed new charter until an opportunity has been given to the people of the city to study it and to pass an opinion upon it. The petition said:

"To force upon the people a charter of which they are ignorant would be to deny to the citizens of New York city the right to be considered or consulted as to their form of government. Home rule becomes a farce if a charter is passed which the citizens have no opportunity to study."

## FIVE SHOCKS SCARE MESSINA.

**Special Cable Dispatch to THE SUN.**

MESSINA, July 10.—Five distinct shocks of earthquake occurred here to-day within a few hours. No lives were lost, but there is the gravest feeling of apprehension among the inhabitants of the city.

## TO RELIEVE INSOMNIA.

**Take half a teaspoonful of Horford's Acid Phosphate in water—Quies nerves and induces refreshing sleep.—Advs.**

## LIVE WIRE KILLS TWO GIRLS.

**It Was Dead When They Began Playing With It, but It Came to Life.**

EAST RUTHERFORD, N. J., July 10.—Two children were shocked to death here to-night and two badly burned in playing with a live wire hanging from an arc light. It was harmless until the current was switched on at dusk.

The dead are Jane Ferguson Barclay, the seven-year-old daughter of Mr. and Mrs. Malcolm Barclay of Carlton avenue, and Reubena Parks, the ten-year-old daughter of Samuel Parks, who lives in the same house with the Barclays. The burned children are Malcolm Barclay, Jr., 5 years old, and Jeannette Davies, an adopted daughter of Mrs. Parks. Dr. Brooks, who was called, thinks that they will get well, though their burns are serious.

The children went out after supper and were playing with the wire. When the current was turned on from the power house two of them were instantly killed and the others, screaming with pain, ran into the house.

The wires of the public service corporation cross Carlton avenue here and it was from one of its lines that the loose wire was hanging. Before the current was turned on a man named Kelly, an ex-member of the Rutherford police force, warned the children and on hearing their screams he ran up and pulled them away from the wire. The Barclay boy was not as badly injured as the Davies girl, who was burned about the hands and face.

Malcolm Barclay is a clerk in mills here, and Samuel Parks is employed in the Brown-Bowley brass foundry.

Coroner Tracy will hold an inquest to-morrow.

## PEAVEY FIRM MAY RETIRE.

**Banks Start Inquiry After Drowning of James Pettit of Chicago.**

CHICAGO, July 10.—Close upon the death of James Pettit, who was found dead from drowning in Lake Michigan near the Morain Hospital Saturday morning, came the report of the retirement from business of the firm of which he was president and general manager. To-night a number of telegrams were sent out by the Peavey Grain Company to its agents and customers all over the country. It was said that owing to the death of Mr. Pettit, the company had decided to retire from the commission business in Chicago.

The Peavey Elevator Company, which is a separate corporation and whose trademark (P. V.) may be seen on the elevators of almost every agricultural centre in the country and lake and Mississippi steamboats, is not affected.

The retirement of the grain company followed meetings of officers of the First National Bank, Corn Exchange National Bank and possibly other Chicago banks yesterday afternoon. The tragic ending of Mr. Pettit's life is said to have a bearing on this action. Inquiry was set on foot by the banks on the first business day following his death.

An official of the Corn Exchange Bank put the amount of the money involved at \$750,000. He said, however, that he thought the bank would be secured by the warehouse certificates for wheat put up as collateral and also by the Peavey Grain Company, a separate corporation from the Peavey Elevator Company.

ST. PAUL, July 10.—F. B. Wells, vice-president of F. H. Peavey & Co. of Minneapolis, said to-night: "Creditors of the Peavey company may be assured of one thing. If the company is found to be involved it will not in any way affect F. H. Peavey & Co. and the creditors of the Peavey Grain Company will lose nothing."

## GOVERNOR STOPS RACING.

**Orders Pool Selling Stopped and Woonsocket Track Closes Up.**

PROVIDENCE, July 10.—Gov. Pothier has issued instructions to Sheriff Andrew J. Wilcox of Providence county to stop all pool selling in connection with the races at the Woonsocket Training Park, which were to open this afternoon. He also gave Sheriff Wilcox orders to see that the North Providence gambling resort was closed and kept closed.

Sheriff Wilcox told a reporter this afternoon that he had detailed Deputy Sheriffs Bouley and McCusker at the Woonsocket track to see that the orders of the Governor were carried out in that city or in the town of Smithfield, just across the line. With reference to the North Providence resorts, the Sheriff said that he would take immediate action and the orders of the State Executive would be carried out to the letter.

When Deputy Sheriffs Bouley and McCusker called on Barton A. Cook, manager of the Woonsocket track, shortly before noon to-day and gave the orders from the Governor, Mr. Cook immediately called all races off. There are 160 horses stabled at the track ready to participate in the five-day meeting. The races open at Dover, N. H., one week from to-day and the horses will ship to Granite State Park within a day or two. The Governor's action kills horse racing in Rhode Island.

## DREXEL TO FLY HIGHEST.

**American Aviator Preparing for Effort to Beat Heston.**

Special Cable Dispatch to THE SUN. LONDON, July 10.—J. Armstrong Drexel, Jr., is making preparations for an attempt to break the altitude record which was made by the late Arch 1-okey at Los Angeles last December.

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## TOMATO NAMES PRESIDENT.

**Gov. Marshall Honored by Man Who Called Roosevelt and Taft.**

INDIANAPOLIS, July 10.—Harvey M. Cook of Avondale, Pa., has nominated Gov. Marshall for the Presidency next year with two tomatoes which have been sent to the Governor.

That such a nomination is effective, Mr. Cook asserts, is proved by the fact that he nominated Taft and Roosevelt in a similar manner.

Each tomato bore on its ruddy surface the inscription "Thomas R. Marshall, 1912." The manner of its coming there was obvious. The grower had stitched some sort of fibre to the skin of the fruit while it was green, and the subsequent growth had made the letters appear except for the stitches, as a part of the skin.

In a letter to the Governor Cook said he was the originator of the process by which tomatoes may be made to make Presidents. All he asked in return, he said, was the Governor's autograph.

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## BINGHAM QUILTS NEW OFFICE.

**COULD "GET NO ACTION" FROM McANENY ABOUT PAVEMENTS.**

Started Out to Make Paving Companies Do Their Contract Repairs—Got No Support—His Recommendations Were Neglected and His Report Buried.

Gen. Theodore A. Bingham has thrown up the office of Chief Engineer of the Bureau of Highways, to which Borough President McAneny appointed him at the beginning of May. Gen. Bingham was removed as Police Commissioner by Mayor McClellan on the complaint of Judge Gaynor, now Mayor. The Mayor did not object to his appointment to his new office and said he was a good engineer. Gen. Bingham still has a \$100,000 libel suit pending against the Mayor and has won the preliminary skirmish in it on appeal, substantial parts of the answer being struck out. It was to be Gen. Bingham's special job in his new post to make the paving